

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF JUVENILE JUSTICE SERVICES  
POLICY AND PROCEDURES

Policy No.: 05-02	Effective Date: 05/05/04	Revision Date: 08/31/04
Subject: Searches of Person, Room, State Vehicle		

**I. Policy Statement**

The Division has the authority to conduct searches of visitors or juveniles placed in our custody or programs, juveniles' living quarters, possessions, and state vehicles. Strip searches shall be conducted whenever juveniles are admitted and readmitted to the secure area of the facility; or when there is probable cause to believe that contraband is present. The Division's cars and facilities, which are accessed by juveniles, shall be searched regularly for contraband by two direct-care staff employees when available, or one staff employee, in the presence of law enforcement.

**II. Rationale**

The purpose of searches is to apprehend any contraband, perceived and actual weapons, and any unauthorized substances. Searches shall be conducted to ensure both the safety and security of others, as well as, the juveniles' therapeutic needs.

**III. Definitions**

- A. "Contraband" is defined as items illegal by law or prohibited by the agency, facility, program, or caseworker. Contraband includes, but is not limited to: tobacco, drugs, paraphernalia, alcohol, weapons, or items capable of being used as weapons, expensive items such as jewelry and money, and items which would interfere with the treatment process.
- B. "Probable cause" is the facts or circumstances of the situation that lead a reasonable person to believe that contraband is present.
- C. "Wand search" is a clothed search using a hand-held metal detector, sensor or scanner, used to detect metal weapons or metal objects.
- D. "Rub search" is a clothed search using the hands to perform a quick, thorough search by "rubbing" the outer layer of clothing. It is used to detect any contraband the juvenile may have in his or her possession.
- E. "Strip search" is a more thorough search than the rub search, resulting in a careful visual examination of the nude juvenile and his or her discarded clothing.
- F. "Body cavity search" is a manual body cavity search of the vagina or anus performed by medically trained and licensed personnel when there is probable cause to believe contraband will be found.

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G. "Room search" is a thorough physical search of a juvenile's assigned room in either the facility or community placement, in order to detect any contraband.

H. "Vehicle search" is a thorough physical search of a State vehicle to detect any contraband or weapons.

#### **IV. Procedures**

A. Wand search:

1. A staff member shall use a hand-held metal detector, sensor or scanner to "scan" the entire body of the visitor or individual. Staff shall not make hands-on or physical contact with the individual during the search.
2. If the metal detector sounds, staff shall instruct the individual to remove any metal objects and then staff shall repeat the step above.
3. In the event that any weapons or contraband is found, staff shall deny the visit or admissions into the facility and document the incident.

B. Rub search:

1. Cross-gender searches are permissible only when a search is required and there is no other staff of the same sex available, and only with a witness present.
2. Remove all property during the search, i.e., wallet, keys, money, jewelry, belt, hat, shoes, etc.
3. Direct the subject to face away from staff and assume the proper position – hands above the head, interlock fingers behind the head, and spread the feet apart.
4. Conduct a thorough anatomical search, in order, from the head to the feet of the subject and include any pockets. Concentrate on specific areas that require special attention, which includes:
  - a. Hair: no wigs are allowed.
  - b. Head: mouth, ears, and nostrils. Simply observe, do not touch the subject.
  - c. Neck: shirt collars.
    - a. Hands: examine hands, fingers spread and extended.
    - e. Arms: inside and out from the armpits to cuffs.

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- f. Chest and abdomen: shirt pockets, seams, under bra band, straps, metal push up wires.
- g. Waistline: back of belts and belt buckles.
- h. Shoulder blades, middle of the back to the waist: search sides and seams, be careful to check for blades taped to flat areas or sewn into seams.
- i. Abdomen: front pockets, seams, hips, back pockets, groin area, vertical seams.
- j. Legs: pockets, outside and inside of legs, cuffs.
- k. Feet: remove shoes and socks, check inside lining, sole and heel, turn socks inside out. Check the bottom of both feet.

- 5. No touching of the breasts, genitals, and anus of the subject is allowed.
- 6. Do not become involved in conversation with the subject during a search. Concentrate on the search and do not become distracted.
- 7. Do not allow personal embarrassment to compromise the search.

C. Strip search:

- 1. Same-gender staff shall perform a strip search. Strip searches shall be conducted in the presence of two staff members or one staff member with a witness.
- 2. A "Probable Cause Statement" and a "Strip Search Checklist" shall accompany all strip searches.
- 3. There shall be a thorough search of the juvenile's discarded clothing:
  - a. Turn the shirt inside out: check seams, cuffs, collars and pockets.
  - b. Shoes and socks: check sole and heel, examine inside foot and turn socks inside out.
  - c. inside out.
  - d. Pants: turn inside out, examine waistband, cuffs, seams and pockets.
  - e. Underwear: turn inside out, check waistband and seams.
- 4. There shall be a thorough search of the subject. Do not touch the subject; simply observe:
  - a. Head: check for lice. Check nose, ears, and mouth. Check under tongue and around teeth.
  - b. Arms and shoulders: require the subject to raise arms and check arm pits and breasts. Check for needle tracks or evidence of previous suicide attempts, personal injuries or other abnormalities. Examine hands with fingers spread and extended.

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- c. Groin: examination of difficult places to see shall be conducted by instructing the subject to make that portion of the body visible.
- d. Buttocks: instruct the subject to squat down and then return to standing position. Instruct the subject to bend over and spread the cheeks of the buttocks. If a female is wearing a sanitary napkin, instruct her to remove it and issue a new one. If contraband is seen protruding from the anal area, staff shall not retrieve the contraband. Staff shall instruct the subject to remove the item. If they refuse, staff shall place the subject in a holding area where the item cannot be disposed of. Staff shall immediately request the assistance from the facility medical personnel or other qualified medical personnel.
- e. Legs and feet: check inside the legs and bottom of the feet and in between the toes.
- f. Bandages and casts: examine any prostheses or false teeth. If staff have questions, they shall request assistance from the facility medical personnel or other qualified medical personnel.

D. Body cavity search:

A manual body cavity search of the vagina or anus shall only be performed by medically trained and licensed personnel when there is probable cause to believe contraband or weapons will be found. Staff shall document the incident.

E. Room search:

A thorough physical search of a juvenile's assigned room, whether in a facility, community placement, or home.

- 1. Room searches shall be conducted by two staff, or one staff and a witness (proctor parent, tracker, etc.).
- 2. Room searches shall be conducted in a systematic manner with respect to the juvenile's property. The room shall be left in the condition it was found. Items shall not be intentionally damaged or destroyed.
- 3. Contraband found during the search will be confiscated, the chain of evidence maintained, and the required documentation of the incident shall be recorded.

F. Vehicle search:

A thorough physical search of a State vehicle shall be conducted before and after transporting a juvenile to remove any contraband or any items that could be used as a weapon.

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Continuous Renewal

This policy shall be reviewed three (3) years from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Juvenile Justice Services, and is approved upon the signature of the Director.

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Eldon Money, Chairman  
Board of Juvenile Justice Services

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Date

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Blake D. Chard, Director  
Division of Juvenile Justice Systems

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Effective/Revision Date